

## **CHAPTER 4**

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## Part 1

### Dangerous Buildings

§101. Title. This Part 1 shall be known as the "Logan Township Red-Tag Ordinance."  
(Ord. 2-22-79, 2/22/1979, §1)

§102. Definitions. For the purpose of interpreting the provisions of this Chapter, the following words shall have the meaning or meanings ascribed:

**DANGEROUS OR RED-TAGGED PROPERTY** - All buildings or structures which have been determined by the Board of Supervisors in accordance with the provisions of this Chapter to have any or all of the following defects:

(1) Those buildings or structures which have been damaged by fire, wind, or other causes so as to have become dangerous to the life, safety, morals or the general health and welfare of the occupants or the people of the Township of Logan;

(2) Those buildings or structures which have become or are so dilapidated, decayed, unsafe, unsanitary, vermin-infested, rat-infested, or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause accidents, sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein as well as other citizens of the Township of Logan;

(3) Those buildings or structures which have parts thereof which are so attached that they might fall and injure members of the public or adjoining property;

(4) Those buildings or structures which, because of their general condition are unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people of the Township of Logan.

**PERSON** - any natural person or persons, corporation, partnership, association or any lawful entity.

The use of the singular include the plural, and the use of any gender shall include all genders.

(Ord. 2-22-79, 2/22/1979, §2)

§ 103. Public Nuisances. All "dangerous or red-tagged buildings or structures" within the terms of §102 of this Part 1 are hereby declared 'to be public nuisances and shall be vacated, removed, repaired or demolished as hereinbefore and herein after provided. (Ord. 2-22-79, 2/22/1979, §3)

### §104. Investigation Procedures.

1. Whenever it shall be reported or come to the attention of any Township Official or police officer that any building or structure, completed or in the process of construction, or any portion thereof, is in a dangerous or red-tagged condition, such person having knowledge thereof shall report same to the

Township Manager, and the Township Manager shall immediately cause an investigation and examination to be made of such building or structure. Such investigation and examination shall be made by the Township Manager, or his designated representative and/or the Chief of the Township Police Department, or his designated representative. If said investigation and examination indicates that the said building or structure is dangerous in accordance with the provisions of this Part 1, a written report of such investigation and examination shall be submitted to the Board of Supervisors, specifying the condition of such building or structure, and setting forth whether or in what respect the building or structure is dangerous and whether it is capable of being repaired or whether it should be demolished.

2. It shall be unlawful for any person to refuse entrance to or to impede any Township official or any other authorized individual in the investigation of any such building or structure under this Part 1. The owner, occupant or operator of every building or structure within the Township, or the person in charge thereof, shall give such official or authorized individual free access thereto and to all parts thereof, and to the premises on which it is located, at all reasonable times for the purpose of such investigation upon display by such individual of proper identification.

(Ord. 2-22-79, 2/22/1979, §4)

§ 105. Hearing Procedures. Upon receipt of a report in accordance with §104 of this Part 1, the Board of Supervisors of Logan Township shall:

1. Give written notice to the owner of said building or structure, and to all other persons having an interest in said building or structure as shown by the land records of the Recorder of Deeds of Blair County, to appear before the Board of Supervisors on the date specified in the Notice to show cause why the building or structure reported to be a dangerous or red-tagged building should not be repaired, vacated, removed or demolished in accordance with the enforcement provisions set forth in this Part 1;

2. Hold a hearing and hear such testimony as the owner, or any other person having an interest in said building or structure, shall offer relative to the condition of said building or structure;

3. Make written findings of fact from the testimony presented at said hearing as to whether the building in question is a dangerous or red-tagged building within the terms of §102 of this Part 1;

4. Issue an order based upon said findings of fact demanding that the owner or other persons having an interest in said building repair, vacate, remove or demolish said building in accordance with the provisions of this Part 1.

(Ord. 2-22-79, 2/22/1979, §5)

§ 106. Standards for Repair, Vacation or Demolition. The following standards shall be the basic guidelines to be followed by the Board of Supervisors in ordering the repair, vacation or demolition of any building or structure pursuant to the provisions of this Part 1:

1. If the dangerous or red-tagged building or structure can be reasonably repaired so that it will no longer be in violation of the provisions of this Part 1, the Board of Supervisors shall order that said building or structure be repaired.

2. If the dangerous or red-tagged building or structure cannot be reasonably repaired so that it

will no longer be in violation of the provisions of this Part 1, the Board of Supervisors shall order that said building or structure be demolished.

3. If the dangerous or red-tagged building or structure is in such condition so as to make it dangerous to the health, morals, safety or general welfare of its occupants the Board of Supervisors shall have the authority to order said building or structure to be vacated.

(Ord. 2-22-79, 2/22/1979, §6)

§107. Enforcement Procedures. If any building or structure is deemed to be a dangerous or red-tagged building pursuant to the provisions of this Part 1, the Board of Supervisors of Logan Township shall immediately cause written notice to be served upon the owner, occupants and all other persons having an interest in said building or structure as shown by the land records of the Recorder of Deeds of the County of Blair.

1. The Notice required by this §107 shall be served upon the owner, occupants and all other persons interested in said building or structure by sending said Notice by certified or registered mail to such individual at his last known address.

2. The Notice shall identify the building or structure deemed to be dangerous or red-tagged, and contain a statement of the particulars which made this building or structure dangerous, and shall contain an order from the Board of Supervisors requiring said building or structure to be repaired and/or vacated and/or demolished; provided that in any case where the Notice includes an order to repair said building or structure, the owner thereof shall have the option to remove or demolish such building or structure in lieu of making the repairs thereto.

3. Said Notice shall require any person notified and ordered to repair, vacate or demolish any such building or structure to commence the work or act required by the Notice within ten (10) days of such Notice and to complete the required work or act within thirty (30) days thereof. The Board of Supervisors may, at their discretion, and upon presentation to said Board of evidence of good cause, grant extensions of time for the commencement and completion of such work or act required by the Notice.

4. In addition to the written Notice to be served as aforesaid, the Board of Supervisors shall cause a Notice to be placed upon any building or structure determined to be in a dangerous red-tagged condition, which Notice shall read substantially as follows:

"This building has been found to be a dangerous or red-tagged building by the Board of Supervisors of the Township of Logan. This Notice is to remain on this building until it is repaired, vacated or demolished in accordance with the Notice which has been given to the owner and other persons interested in this building. It is unlawful to remove this Notice until compliance is made under the provisions contained in the Notice given to the above-named party. This Notice is posted upon this building in accordance with the Logan Township Red-Tag Ordinance."

5. Any person who has been notified pursuant to the terms of this Part 1 to repair or demolish any building or structure which has been determined to be in a dangerous or red-tagged condition, shall immediately apply for and obtain from the Township of Logan the necessary permit to repair or

demolish said building or structure. A fee as established from time to time by the Board of Supervisors shall be charged by the Township of Logan for such permit.

(Ord. 2-22-79 2/22/1979, §7; as amended by Ord. 10-27-88, 10/27/1988)

§108. Enforcement and Penalty.

1. Enforcement. The Township Manager, Chief of Police, any police officer and/or other person authorized by the Board of Supervisors may enforce the violation of this Part. (Ord. 9-19-96, 9/19/96, §2; as amended by Ord. 2-13-97, 2/13/97, §2)

2. Penalties.

a. Any person who shall fail to comply with any Notice or order to repair, vacate or demolish any dangerous or red-tagged building issued pursuant to the provisions of this Part 1, or any regulation or order issued thereunder, shall upon conviction thereof, be subject to a fine of not less than Three Hundred and no/100 (\$300.00) Dollars and not more than One Thousand and no/100 (\$1,000.00) Dollars and costs, and/or be sentenced to imprisonment in the Blair County Jail for a period not exceeding ninety (90) days, and each day's continuance of a violation shall constitute a separate offense. Penalties contained in this Part are in addition to any other remedies provided by this Part.

b. Any person removing the Notice provided for in §107, Subsection 4 hereof, shall upon conviction thereof, be subject to a fine of not less than Three Hundred and no/100 (\$300.00) Dollars and not more than One Thousand and no/100 (\$1,000.00) Dollars and costs for each offense, and/or to imprisonment in the Blair County Jail for a period not exceeding ninety (90) days.

c. If the owner, occupant or any other person having an interest in any dangerous or red-tagged building or structure, as shown by the land records of the Recorder of Deeds of the County of Blair, fails to comply with any Notice or order to repair, vacate or demolish any such building or structure within thirty (30) days, from the date of said Notice or order, the Township is empowered to cause such building or structure to be repaired, vacated, or demolished by the Township and to cause the costs of such repair, vacation or demolition, together with a penalty of ten (10%) percent to be charged against the land on which the building existed as a municipal lien, or to recover such costs in a suit at law against the owner or such other person having an interest in the building, and, the recovery of such cost and expense, together with the aforesaid penalty, may be in addition to the penalty imposed in Paragraphs a and b of this §108. (Ord. 9-19-96, 9/19/96, §2; as amended by Ord. 2-13-97, 2/13/97, §2)

3. If the owner, occupant or any other person having an interest in any dangerous or red-tagged building or structure, as shown by the land records of the Recorder of Deeds of the County of Blair, fails to comply with any Notice or order to repair, vacate or demolish any such building or structure within thirty (30) days, from the date of said Notice or order, the Board of Supervisors is empowered to cause such building or structure to be repaired, vacated, or demolished by the Township and to cause the costs of such repair, vacation or demolition, together with a penalty of ten (10%) percent to be charged against the land on which the building existed as a municipal lien, or to recover such costs in a suit at law against the owner or other such person having an interest in the building, provided, the recovery of such cost and expense,

together with the aforesaid penalty, may be in addition to the penalty imposed in paragraphs 1 and 2 of this §108.

(Ord. 2-22-79, 2/22/1979, §8; as amended by Ord. 10-27-88, 10/27/1988; and by Ord. 9-19-96, 9/19/96, §2; and by Ord. 2-13-97, 2/13/97, §2)

§109. Emergency Cases. In cases wherein it reasonably appears that there exists an immediate danger in the life or safety of any person caused or created by a dangerous or red-tagged building as defined herein, the Board may cause the immediate repair, vacation or demolition of such dangerous building. The costs of such emergency repair, vacation or demolition of- such dangerous or red-tagged building shall be collected in. the same manner as provided for in §108, Sub-Section 3. (Ord. 2-22-79, 2/22/1979, §9)

§110. Liability. In the event that the owner of a building or structure, which has been determined to be a dangerous or red-tagged building within the provisions of this Part 1, conveys said building or structure in any manner or method whether by sale, lease or otherwise, said owner shall still be responsible for compliance with the provisions of this Part 1; and it is the intent of this Part 1 that the person acquiring said building or structure, shall be jointly and severally liable with the owner for compliance with this Part 1. (Ord. 2-22-79, 2/22/1979, §10)

## Part 2

### Requirements and Issuance of Building Permits

§201. Title. This Part 2 shall be known and may be cited as "The Logan Township Building Permit Ordinance". (Ord. 11-14D-85, 11/14/1985, §1)

§202. Permit Required. Prior to the commencement of any work thereon, no building or structure, or any part thereof, shall be erected, enlarged, converted, repaired or altered, razed and/or demolished until a building permit shall have been procured by the owner or owner's agent from the Building Permit Clerk. (Ord. 11-14D-85, 11/14/1985, §2; as amended by Ord. 9-3-92, 9/3/1992, §1(A))

§203. Application and Proof of Waste Disposal.

1. Application for said permit shall be made in writing in a form prescribed by the Township by the owner or owner's agent and shall contain the names and addresses of the owners; a description sufficient to identify the property for which the permit is sought; the nature of the construction, improvement, razing and/or demolition (whether pursuant to Chapter 4, Part 1 or for any other reason), in detail; the amount of estimated cost thereof, and, in the case of construction and improvement, shall be accompanied by one (1) set of dimensioned plans showing all habitable floors, basement or cellar and foundation and with said plans being prepared, signed and approved by all County and Commonwealth authorities where required by law. Provided, however, that the Building Permit Clerk may waive the requirement for filing plans where the work involved is of a minor nature and the building operation is adequately described in the application.

2. Any person who obtains a building permit pursuant to this Part 2, shall, subject to §203(3), certify to the Township that any construction waste of any nature caused by or due to the construction, improvement, razing and/or demolition of any building and/or structure will be properly disposed of in a landfill approved by the Pennsylvania Department of Environmental Resources for the disposal of such construction waste. In furtherance of this subsection, any person issued a building permit pursuant to this Part 2 shall, within one (1) year of the date of the issuance of said building permit, file with the Building Permit Clerk the original of all disposal payment slips or records clearly indicating the type and amount of said construction waste and cost of disposal thereof and that said waste was disposed of in a landfill approved by the Pennsylvania Department of Environmental Resources for disposal of such construction waste. Said disposal payment slips may be signed by the appropriate landfill official or a solid waste hauler duly licensed by the Township.

3. Any person who obtains a building permit pursuant to this Part 2 for the purpose of constructing a building and/or structure, and not for razing and/or demolition purposes, shall be exempt from certifying that the construction waste caused by said construction (except any roofing material) has been disposed of in an approved landfill if said permit was issued for a building project the cost of construction of which is less than one thousand dollars (\$1,000.00) and if said person states in writing the method employed by such person to dispose of the construction waste associated with the issuance of said building permit.

(Ord. 11-14D-85, 11/14/1985, §3; as amended by Ord. 9-3-92, 9/3/1992, §1(A))

§204. Building Permit Clerk. The Building Permit Clerk is vested the powers, duties and obligations herein set forth or required by law. 11-14D-85, 11/14/1985, §4; as amended by Ord..10-27-88, 10/27/1988)



§205. Fees. That there shall be paid by the applicant to the Building Permit Clerk for the issuance of said Building Permit, fees as established from time to time by the Board of Supervisors.

To which there shall be added the charge, now or hereafter provided by law for the certification of the issuance of said permit to any lawful authority requiring the same. All fees, so collected by the Building Permit Clerk, shall be accounted for and paid over by him to the Treasurer of the Township of Logan, daily.

(Ord. 11-14D-85, 11/14/1985, §5; as amended by Ord. 10-27-88, 10/27/1988)

§206. Enforcement and Penalty.

1. Enforcement. Any police officer, the Building Permit Clerk and/or any person authorized by the Board of Supervisors may enforce the violation of this Part.

2. Penalty. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than Three Hundred and no/100 (\$300.00) Dollars and not more than One Thousand and no/100 (\$1,000.00) Dollars plus the cost of prosecution, and/or be sentenced to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part continues shall constitute a separate and distinct offense which shall be subject to the aforesaid penalties.

(Ord. 11-14D-85, 11/14/1985, §6; as amended by Ord. 10-27-88, 10/27/1988; as amended by Ord. 9-19-96, 9/19/96, §2; and by Ord. 2-13-97, 2/13/97, §2)

§207. Definitions.

1. For the purpose of interpreting this Part, the following words shall have the meaning or meanings ascribed:

CONSTRUCTION WASTE - any refuse or other material including, but not limited to, liquid, semisolid or contained gaseous material, resulting from the construction, razing and/or demolition of a building or structure. The term does not include recyclables as defined under Chapter 20, Part 1, of the Township of Logan Code of Ordinances known as "Solid Waste and Recyclables Storage, Collection, Disposal and Processing Ordinance."

PERSON - every natural person, association, firm or corporation.

STRUCTURE - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

2. In this Part, the singular shall include the plural and the masculine shall include the feminine and the neuter.

3. Other words not defined herein shall have the meaning set forth in said Chapter 20, Part 1, and Chapter 27 (Zoning) of the Township of Logan Code of Ordinances. If not otherwise defined, said words shall have the meaning ordinarily ascribed to them in everyday usage.

(Ord. 11-14D-85, 11/14/1985; as added by Ord. 9-3-92, 9/3/1992, §1(B))

## Part 3

### Police and Fire Safety Key Box

§301. Key Box. When a structure of any type within the Township is protected by an automatic burglar and/or fire alarm system and/or a fire sprinkler system, a Key Box of a UL type approved by the Township Fire Chief shall be installed on the property in a location approved by the Township Fire Chief. Residential structures shall be exempt from this requirement. Such Key Boxes shall contain the following:

1. Keys to locked points of egress whether on the interior or exterior of such structures.
2. The keys to locked mechanical equipment rooms.
3. The keys to locked electrical rooms.
4. Keys to elevator controls.
5. Keys to other areas as directed by the Township's Fire Chief.
6. A tamper alarm which shall be connected to a Township approved monitoring system.

(Ord. 3-14-96, 3/14/96, §1)

§302. Penalties. Any person who shall violate any provision of this Part and/or who shall attempt to tamper with any Key Box located on any structure subject to this Part, shall, upon conviction thereof, be subject to a fine of not less than \$100.00 nor more than \$600.00 or imprisonment for a term not to exceed 30 days or both, at the discretion of the court. Each day that a violation continues shall be deemed a separate offense.

(Ord. 3-14-96, 3/14/96, §2)

## Part 4

### Property Maintenance

§401. Title. These regulations shall be known as the Property Maintenance Regulations of Logan Township.

(Ord. 7-15-99B, 7/15/99, §1)

§402. Intent. These regulations are enacted to protect the public health, safety and welfare of the residents of the Township of Logan. Therefore, these regulations shall be construed to secure its express intent, which is to ensure public health, safety and welfare insofar as they are affected by the matters covered by these regulations.

(Ord. 7-15-99B, 7/15/99, §2)

§403. Definitions. The following words and phrases shall have the meaning set forth:

CODE OFFICIAL - The official who is charged with the administration and enforcement of these regulations including but not limited to the Code Enforcement Officer and any duly appointed police officer.

HABITABLE STRUCTURE - Any building, dwelling or other space in which any person may reside or which is intended for human occupancy.

OPERATOR - Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER - Any person, agent, operator, firm or corporation having a legal or equitable interest in the premises or, if applicable, any personal property; or recorded in the official records of Blair County, Pennsylvania, as holding title to the premises; or otherwise having control of the premises, including the guardian of the estate of such person, and the executor or administrator of the estate of such person.

PERSON - An individual, corporation, partnership or any other group acting as a unit.

PREMISES - A lot(s), plot(s) or parcel(s) of land including any habitable structure(s) located thereon.

(Ord. 7-15-99B, 7/15/99, §3)

§404. Weed and Plant Height. An owner of any premises shall ensure that said premises shall be maintained free from all weeds or plant growth in excess of twelve (12") inches within one hundred (100') feet of any habitable structure regardless of whether said habitable structure is owned by said owner.

1. Exceptions. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided, however, this term shall not include cultivated flowers, gardens and/or cultivated crops. This regulation shall not apply to any premises owned, operated or controlled by a governmental unit used for a public purpose.

(Ord. 7-15-99B, 7/15/99, §4)

§405. Motor Vehicles. Not more than two currently unregistered or uninspected motor vehicles shall be parked, kept or stored on any premises, and no motor vehicle shall, at any time, be in the process of being stripped or dismantled. Any and all such unregistered or uninspected motor vehicle(s) shall be kept or stored only on owner's premises on which owner resides.

1. Permit Required. An owner having or permitting unregistered or uninspected motor vehicles on the owner's premises shall obtain, on an annual basis, a permit (the cost of which shall be established by the Board of Supervisors from time to time) from the Township indicating whether said motor vehicle is being restored or is a vehicle intended only for use off of public streets. In all events, said motor vehicle must be intact.

2. A motor vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed and the motor vehicle is kept at all times inside a structure or similarly enclosed area designated and approved for such purposes.

3. This Section 405 shall not apply:

A. To any motor vehicle being stored as a wrecked and/or damaged motor vehicle in a properly zoned area in connection with a lawful automobile repair business, where such wrecked and/or damaged motor vehicle is stored merely to await repair thereof in the immediate future; or

B. To any motor vehicle being kept in an enclosed building; or

C. To any motor vehicle on the premises of a business operated in a properly zoned area and lawful manner when necessary in the operation of such business; or

D. To any motor vehicle kept in a storage area and/or depository owned by a governmental entity; or

E. To any motor vehicle which is not required by any governmental entity to obtain a registration or inspection in order to be used on a public roadway.

(Ord. 7-15-99B, 7/15/99, §5)

§406. Notices and Orders.

1. Notice to owner or to person or persons responsible. Whenever the code official determines that there has been a violation of this Part or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the following described manner:

A. Be in writing;

B. Include a description of the real estate sufficient for identification;

C. Include a statement of the reason or reasons why the notice is being issued; and

D. Include a correction order allowing a reasonable time for the repairs and

improvements required to bring the premises into compliance with the provisions of this code.

2. Method of service. Such notice shall be deemed to be properly served if a copy thereof is (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the premises affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the premises shall constitute service of notice upon the owner.

3. Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the prospective grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the said prospective grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

(Ord. 7-15-99B, 7/15/99, §6)

#### §407. Penalties.

1. Unlawful acts. It shall be unlawful for any person to maintain, fail to maintain, provide, fail to provide or let to another or occupy or permit another person to occupy any premises, property, structure or motor vehicle regulated by this Part, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this Part, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this Part.

2. Penalty. Any person who shall violate a provision of this code shall, upon conviction thereof, be subject to a fine of not less than One Hundred and no/100 (\$100.00) Dollars nor more than One Thousand and no/100 (\$1,000.00) Dollars or imprisonment for a term not to exceed ninety (90) days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Notwithstanding any other provision herein to the contrary and in addition to any penalty imposed herein, in the event any person shall fail or refuse to comply with such notice within the period of time stated therein, the Township may remove any and/or correct said violation including but not limited to cutting weeds and/or plant growth.

(Ord. 7-15-99B, 7/15/99, §7)